



HIV PLANNING COUNCIL
Regular Meeting Wednesday – February 11, 2004
6:00 p.m.
FOUNTAIN VALLEY HOSPITAL
Saltzer Conference Room
17100 Euclid Ave., Fountain Valley

MINUTES

Chair: Sylvia Martinez

Vice Chair: Martín Salas

Vice Chair: Puki Liptrapp

Recorder: Emily Bangura & Yvette Petruzzelli

Members Present: Ignacio Alvarez, Jordan Bako, Robert Barnes, C. J. "Tony" Barnett, Jeff Byers, Clayton Chau, Michael Ferguson, Linda Foster, Betsy Ha, Maria Marquez, Bruce McGregor, Liz Pejeau, Jose Ramon Rodriguez, Gerardo Rosas, Martín Salas, Ricky Session, Robert Thompson, Steve Thronson, Jeremiah Tilles, Clarence Williams, Kurt Weston and Miles Wood

Affiliates: Dan Cavanaugh (present), Shawn Coakley (sitting in for Martin Beccera), Jerry Lail (sitting in for Josie Lopez), Arthur Reyes (absent) and Terry Roberts (sitting in for Matilda Rivera)

Excused Absences: Mary Hale, Puki Liptrapp, Martin Becerra, Ron Viramontes, Josie Lopez, Adolfo Loustalot and Christopher Ried

Absences: Geeta Gupta, Matilda Rivera, Jose Ramon Rodriguez and Modesto Vasquez

Staff: Diana Banzet, Mitch Cherness, Hope Hagen, David Souleles and Irene Tyrrell

Guests: Vickie Ferguson, David Speck, Ruben Navarez, Corine Gomez, Ken Francis (STC), Jannette Alvarez, Ty Perdue, Chris Prevatt, Kelly Gomez, Glen Caulkins (HIV Anonymous, Inc.), Martha Lee Scott (Glenhaven Sober Living), Philip Yaeger (ASF), Tim Young (Asian Pacific AIDS Intervention Team), Tucker Baldwin and Dr. Tom Bent (Laguna Beach Community Clinic)

Item I: Call to Order Chair Sylvia Martinez called the meeting to order at 6:05 p.m.

Item II. Welcome & Introductions

- A. Pledge of Allegiance
- B. Moment of Remembrance
- C. Introduction of Guests – see above
- D. Roll Call of Members – see above

Item III. Public Comment *(This will be the only opportunity for Guests to address matters before the Council)*

- Chris Prevatt asked if the staff could address the Council and the public by giving an update regarding issues identifying clients and the use of real time within the data collection system, which was mentioned at the Client Advocacy Committee. He also wanted to know if all agencies are supposed to report at the same time. Next, Chris suggested that our "Action Items" list more details as required by *The Brown Act*. Chris' final suggestion was for the Vice Chair to review the

Rules of Affiliates since they can only sit in for acknowledged HIV positive members of the Council, and he is not sure that is what occurred.

Item IV. Comments on Agenda – None

Item V. Approvals for Consent Calendar

A. Minutes from January 14th, 2004

Minutes to reflect the following corrections:

Hope Hagen referred to page 4 (under Contract Development Management), and said it should read: Hope said, “upon Board approval, the transitional housing contract will be renewed since the current provider was the sole bidder and the residential treatment contract will be extended through 6/30/04.” Hope said the second correction should begin with quotations as “Grantee is further instructed.”

Tony Barnett stated that on page 3 under Housing, Section C, his question should have been directed to the Chair, since the person mentioned was absent.

Miles Wood stated a change me made under Public Policy Tom Peterson was listed as absent. He is no longer a member of the Planning Council.

Motion made by Jerry Lail to adopt the minutes with changes second by Ricky Session. Votes recorded as follows: 22 = in favor, 0 = opposed, 3 = abstentions (Liz Pejeau, Jeff Byers and Miles Wood).

Item VI. Committee and Task Force Reports

A. State Office of AIDS - Jeff Byers reported on the Governor’s budget, which has language that proposes a cap to the ADAP program at enrollment, which could obviously impact people within Orange County, who will have difficulty accessing the program in the future. The state is looking at cost containment and other options. If the cap does go into effect, there will be a stronger emphasis on people not missing their re-enrollment. He encouraged members to stay in touch with the advocacy groups that are involved in the process. Next, Jeff mentioned the CARE-HIP (Health Insurance Premium Payment Program), which provides and pays for some individuals health insurance should they stop working. However, there is potential for shortfall, which the State is reviewing for possible solutions since the program has expanded and coverage lasts for 29 months. Jeff also mentioned that the state is preparing a meeting for all Title I Grantee’s as well as one representative from each Council. The meeting is scheduled for April 6, 2004 in Sacramento. Irene and Sylvia will be receiving an email requesting input from the attendees on topics they would like to see covered. The last item Jeff reported on was a new project call “ARIES.” It is a partnership between the State of California, the State of Texas, the San Diego EMA and the San Bernardino/Riverside EMA in the development of client level data recording system. It will be piloted in a couple of EMAs and the software will be made available to everyone in the future. He will share additional information as he receives it.

B. Chair/Executive - Chair Sylvia Martinez thanked members for their confidence and voting for her. She also let the Planning Council know she is committed to them and is working on being mentored. She said that in her effort to be a more effective Chair, she is taking a training class, which Yvette will also be attending. She reminded everyone to be mindful of *Rules of Respectful Engagement* and asked Yvette Petruzzelli, HIV Planning Support to read them (copies were provided in the members packets). Sylvia asked the PC members if they had suggestions regarding training they wished to receive to contact Yvette and give her the information.

Chair Martinez reported to the PC that there was an Executive Committee Meeting on January 30, 2004. She said the forming of the new membership committee was discussed along with the future plan to appoint a Task Force Committee for this upcoming year’s planning process.

C. Housing – Jerry Lail reported that there was a meeting on February 2, 2004, in which he was elected Chair replacing Tom Peterson. He went on to thank Tom on behalf of the Housing Committee, and mentioned Tom would continue to serve on the committee. Jerry announced that C.J. “Tony” Barnett was elected Vice Chair. He asked Linda Foster to report on the City of Santa Ana’s sponsored Strategic HOPWA Planning Session.

Linda said, "it was a very good planning session, with representation from different agencies as well as clients." She said there were a couple of issues that came up and the group may not be able to spend the money (\$3,000.00 that was set aside) for some clients to attend the AIDS Housing meeting in Washington next year. She is going to review the dollar figures and hopes to have a report by the next meeting.

Jerry Lail thanked Linda and John of the City of Santa Ana for hosting this workshop and allowing clients to participate. He also reported that the committee was working on inviting guest speakers to attend on a regular basis to discuss topics pertaining to residents living with HIV/AIDS. The committee will continue looking at the policies and procedures, as the bylaws take shape in order to establish consistency. He reminded PC members that meetings are held on the 1st Monday of each month at 3:00 p.m. at The Garden Grove Medical Plaza in the auditorium. However, on Monday, March 1st the meeting will be in the class room next to the auditorium. Tony Barnett added he was very excited about his new role as Vice Chair of the Housing Committee. .

Robert Thompson inquired how many people were attending the meetings. Jerry responded an average of 15 people. He said he was reviewing the membership attendance roster and getting in touch with members who periodically attended. Robert asked Jerry if these members were informed, needed assistance getting to the meetings or if they were Spanish speaking. Jerry responded that those reasons didn't seem like the cause for not attending, but he would check into it.

Jerry also added that they are also looking into "housing needs assessment" for next FY, which will start in July. Linda added, "the tendency is for the housing committee to begin the initial contact, then the study would branch off, good representation is helpful."

D. HIV Client Advocacy – Robert Thompson reported that the HCAC meeting would be moving to a new location since the Center is moving and they no longer have rooms available. The new location will be at HIV Planning & Coordination at 1725 B W 17th Street (Annex Conference Room). Robert said the meeting has dropped down to six attendees. He encouraged members to attend and call him if they had any questions. He raised the issue that committees seem to be running more like a "country club" and he pleaded that more people attend committee meetings. Robert said James Williams, Research Analyst of HIV Planning & Coordination, made a presentation on share data. He informed HCAC that, in regards to the instructions to the grantee the data reporting needed to be in "real time." Robert said that he understood from James that not all agencies were upholding the same guidelines. Robert requested an emergency item from the PC to make a decision to stop the special accommodations given to agency A and not agency B, C or D. Jeff Byers responded that "this is not on the agenda and what you are asking us to do is to the grantee's job, and I think that whatever accommodation is made with contractors is an issue between the contractor and the contractee (if you will); so it is between the Health Care Agency and the Providers. I do not think that the PC should get involved in those particulars, it is not our job." Irene Tyrrell told Robert that his issue is well taken and explained that it is absolutely a contracting issue. The grantee will step back and re-assess that the system is functioning with equal standards. Robert responded HCAC is concerned because "the switch gets flipped on February 28, the actual date." David Souleles responded that it would not happen until HCA is quite comfortable that the standards of care and timeliness are in place for all agencies. He continued, if there is need to wait a couple of weeks to "flip the switch", then that's what they will do. Irene added that this issue is an obvious priority that Grantee will look into and report back at the next meeting. Robert asked that somebody with share data knowledge be present at the next HCAC meeting. Irene replied to Robert's concern that the go live date of March 1st date would not occur and that after the PC gets updated someone could speak at HCAC. Robert withdrew his motion.

E. Prevention Planning – Irene Tyrrell reported on funding stating that the transgender piece that was offered in the next cycle to be complete is not going to be renewed funding. She also mentioned that the County submitted a letter of intent today for UARP and a funding opportunity for MSM and Metamphetamine Use. This application is due April 1st. One of the goals for the next committee meeting is to discuss funding options in order to be better prepared as prevention becomes more difficult.

F. Membership – Vice Chair Martin Salas pointed to the flyer in the packet, which invited interested members or affiliates to attend a meeting on Thursday, March 4th at 5:30 p.m. at the HIV Planning & Coordination Conference Room. The purpose is to form a new Committee necessary to recruit new members for the year. Miles Wood's asked, "what if more than 6 members or affiliates show up?" David Souleles responded, "we are not limited to that." Jerry Lail asked for clarification of the flyer, which states

“members or affiliates” are needed to serve on the membership committee. Robert wondered the same thing. Yvette responded that “yes, according to the policies and procedures, either members or affiliates can serve on the committee.” She said she would re-address their questions after reviewing the policies and procedures and send everyone an email response.

G. Public Policy & Advocacy – Miles Wood reported that Cirque du Soleil is currently negotiating with the person fired because he was gay. Jerry mentioned that he had worked for Cirque du Soleil for nine years and Gay Media distorted facts regarding this incident.

Jeff Byers said the group would obviously miss Tom Peterson since he provided updated public policy reports. He said this was a very important and crucial report for the PC. He also mentioned a Title II Grant training that will take place on April 6th in Sacramento, and promised to send an email with detailed information to the Chair and Grantee.

Tony Barnett said the HRSA/RARE Training would be the week of February 23-26th at Delhi and invited all members who had time to attend.

Maria Marquez stated the AIDS Walk would occur in June.

Tucker Baldwin said the Gala event would be on March 13, 2004 and for further information to contact Tom Scarpulla at 714.534.0862 x 160. He announced The Center had moved to 12800 Garden Grove Blvd. in the city of Garden Grove and Martin Becerra is still the Case Manager.

Mitch Cherness reported that HOPWA funds for Social Model/Medical Detox had been expended for the year and is trying to identify funds to get through June. In the mean time, REACH will try and facilitate client entrance into Detox in a timely manner.

H. Case Management Task Force – Irene Tyrrell reported that the Task Force Committee is still meeting, and they are moving along. Mitch Cherness reported that a new tool was acquired and there has great progress on the task force and basically done and will have a report at the next Planning Council meeting.

Item VII. Staff Reports -

A. HIV Planning and Coordination –

- Irene Tyrell report that Bhuvana transferred with a promotion to Behavioral Health vacating her position as Program Supervisor. The Grantee is preparing the unfreeze paperwork for that position. She said the PES position will be converted into a staff specialist position, which will give the department administrative support, equivalent to what Yvette is doing but from an administrative standpoint. David mentioned filling Bonnie's position, which Irene is temporarily in as the Interim Program Manager.
- Audit Summary – Irene Tyrrell read from a handout Audit Status Report - CARE Act Audit Summary Ryan White FY03-04 (included in PC members packets). The document described the audits conducted at all eleven service providers, including community and County programs funded by Title I, Title II and HOPWA. The review did not show any serious deficiencies that would show cause for immediate cessation of contractual services. No further audits of the providers were warranted. All providers received the audit tools in advance to prepare for the review. Audit Reports were developed and sent to providers by December 19, 2003. The audit report proposed corrective actions to Area of Inquiries that had a “Minor” or a “Major” finding. Follow-up site visits have been provided to service providers in assisting with pending questions and compliance to corrective actions.

Major Findings included: a contractual obligation, scope of work/ letter of agreement, Federal, State and/or County regulations, policies and procedures regarding eligibility, delivery of service, and expenditure of funds deficiencies.

MAJOR FINDINGS	CORRECTIVE ACTION
Person A's Consent for Treatment for Services missing from client charts.	Update client files with signed Consent for Treatment for Services within 30 days or first available appointment.
Person B's serostatus verification's missing from client charts.	Obtain Serostatus lab report or Verification of Disease upon entry into program or first available appointment to existing clients.

The number of major findings per provider ranged from zero to three.

Minor Findings included: a contractual obligation, scope of work/letter of agreement, Federal, State, and/or County regulations, policies and procedures regarding administrative responsibilities in managing the program services, internal controls and/or fiscal requirements.

MINOR FINDINGS	CORRECTIVE ACTION
Person C's acuity updates are missing in client charts.	Assess acuity at a minimum of 6 months. Update client charts within 30 days.
Monthly "Units of Service" data reports submitted late.	Monthly "Units of Service" data reports are due by the 10 th of the following month, unless negotiated otherwise by Administrator. If technical assistance is required, notify HPC within 7 business days.

The number of minor findings per provider ranged from one to ten.

- Eleven responses to the Audit Reports have been received along with recommended corrective actions.
- The audits were conducted with a team approach made up of Health Care Agency Staff from HIV Planning and Coordination and Contract Development and Management. The audit team covered up to four areas of inspection during the review: Administration, Supportive Services, Clinical and/or Fiscal.

Recommendations were included in the audit report to assist the service providers with the implementation of the Standards of Care (SOC) for the 2004/2005 Ryan White Fiscal Year. Final approval of SOC expected during the first quarter of the Ryan White FY.

- Planning for the 2004/2005-audit process is anticipated for February 2004. The revised modules and reports will be developed during the spring of 2004. The estimated date for audit site visits to begin is mid-August 2004.
- Client Handbook (Action Item): Irene Tyrrell mentioned that members had received the DRAFT copy of the Client Handbook, at the last Planning Council meeting for review. The following comments were made for revisions prior to distributing the final product:
 - Change the address and phone number of Laguna Shanti
 - Change the address and phone number of The Center
 - Increase the font at the bottom of the page
 - Mention the Committee Standing meetings

Miles Wood asked "if the client handbook when finalized and approved, would be made available to all agencies, as well as posted on the website?" He was told it would. He motioned to accept the Client Handbook with the proposed changes, which Robert Thompson second. Voting results were: 20 = in favor, 1 = opposed (Tony Barnett), 3 = abstentions (Ricky Session, Gerardo Rosas and Martin Salas).

B. Contract Development & Management – FY 03-04 EXPENDITURE AND SERVICE UTILIZATION BY SERVICE CATEGORY FOR TITLE I, HOPWA AND TSR

A report of expenditures, units of service, and clients was provided in PC members' folders. It has been updated to cover ten months, for the period March 03 through December 03. Diana Banzet updates this report.

RFP FOR ALCOHOL AND DRUG ABUSE RESIDENTIAL SERVICES

Hope Hagen reported, "yesterday, Tuesday, February 10th, the Board of Supervisors approved the Agreement with Straight Talk's Start House for transitional housing for the period March 1, 2004, through February 28, 2006. The Board of Supervisors also approved the First Amendment with Straight Talk's Gerry House West for residential treatment services for March 1, 2004 through June 30, 2004 in order to maintain the provision of services until a new contract is awarded through the RFP process."

Item VIII. Old Business

- A.** Evaluation Of Administrative Mechanism (**action item**) was tabled until next month's meeting when Ron Viramontes could address the Council.
- B. Bylaws** – Robert Barnes suggested that this be put as Action Item on the next Planning Council agenda.

Item IX. New Business – No report.

Item X. Member's Privilege – Robert Barnes apologized for his absence (he had surgery done). He mentioned that the audits went excellent and was impressed with the level of professionalism. The Standards of Care is very good idea, he also added. He talked briefly about the decrease of funding and said that the two ways to deal with this to (i) bottom priority and (ii) raise the bar on eligibility.

Item XI. Announcements – Jerry Lail referred member's attention to the flyer of the 4th Annual HOPWA Strategy Meeting and to remind everyone to RSVP to Linda Foster as soon as possible.

Item XII. Adjournment – Chair Sylvia Martinez adjourned meeting at 7:45 p.m.

Notes

III. Public Comment. Public comment on agenda items or other HIV related matters are encouraged. Comments by the public on agenda items, or other matters, may be made at the beginning of the meeting during the time set aside for public comment [agenda Item III]. Comments are limited to five minutes, unless the Chair rules differently. Persons wishing to distribute printed materials at the Council meeting are required to secure foreknowledge of the Council Chair.

XI. Member's Privilege. Council members may address any issue raised during the meeting that has not been placed on the agenda. Comments should be for *information-only* purposes, and, germane to the work of the Council. They should not be in violation of any local, state, or federal law. The Council Chair shall rule on the admissibility of all statements or materials offered for inclusion into the minutes of the Council. Council members have the authority to overturn this ruling by the Chair with a simple majority vote of the members present. Statements or materials entered into the record via "Member's Privilege" do **not** represent the position of the Council, or its endorsement. Any issue raised that requires Council action will be placed on the next meeting's agenda by direction of either the Chair or by the Council.

Persons with cellular telephones are asked either to turn the device off, or to place it on vibrate mode. If it is necessary to take a telephone call, the individual is asked to step outside the meeting hall.

Planning Council members are asked to notify HIV Planning & Coordination staff support to the Council if they anticipate being absent at the Planning Council meeting.

Services for Persons with Special Needs. Persons requiring special assistance to participate in the meetings can telephone HIV Planning & Coordination staff at 834-8711 three (3) days prior to the meeting.

Guidelines for Meetings. The Council strives for governance by consensus. When consensus is not possible, action items shall be adopted by simple majority vote of the voting members present. The Council's open meeting process is governed by the Ralph M. Brown Act and its subsequent legislative changes.

Inquiries. To have your name placed on the notice list, or for other administrative matters regarding the HIV Planning Council, please telephone Emily Bangura @ 714 834-8711 or Yvette Petruzzelli @ 714 834-8399. *Agendas* and *Minutes* are posted at the HIV Planning & Coordination Web Site (<http://www.ocgov.com/hca/public/hiv/links.htm>) by the Friday evening prior to the Council meeting.

**PLEASE NOTE THAT THE
NEXT REGULAR MEETING IS SCHEDULED FOR
April 14, 2004
5:30 p.m. - BUFFET 6:00 p.m. – MEETING
Fountain Valley Hospital - Saltzer Conference Room
17100 Euclid Street, Fountain Valley**